

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

**DARYN P. FLEMING
and MATHEW C. BRUCE**

Defendants.

)
)
)
) **CIVIL ACTION**
)
) **FILE NO. CV-08-029-RHW**
)
) **FINAL JUDGMENT**
) **AGAINST DEFENDANT**
) **MATHEW C. BRUCE**
)
)
)

FINAL JUDGMENT AGAINST DEFENDANT MATHEW C. BRUCE

Plaintiff, U.S. Securities and Exchange Commission ("SEC") filed a complaint in this matter, and Defendant Mathew C. Bruce ("Defendant Bruce") has, in his Consent hereto and incorporated herein, acknowledged receipt of the complaint and admitted the personal jurisdiction of the Court over him and over the subject matter thereof, and without admitting or denying the allegations of the

1 complaint, except as to jurisdiction, and without trial, argument or adjudication of
2 any facts or law herein, consented to the entry of this Final Judgment Against
3 Defendant Bruce ("Final Judgment"). The SEC and Defendant Bruce have waived
4 the entry of findings of fact and conclusions of law, as provided by Rule 52 of the
5 Federal Rules of Civil Procedure and Defendant Bruce has waived any right to
6 appeal from this Final Judgment. The Court having jurisdiction over the parties and
7 the subject matter hereof, and being fully advised in the premises, hereby states:

8 **I.**

9 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that

10 Defendant Bruce, his officers, agents, servants, employees, attorneys, assigns, and
11 all persons in active concert or participation with him who receive actual notice of
12 this Final Judgment by personal service or otherwise, and each of them are
13 permanently restrained and enjoined from, directly or indirectly, in connection with
14 the purchase or sale of any security, by the use of any means or instrumentality of
15 interstate commerce, or of the mails, or any facility of any national securities
16 exchange:

- 17 (a) employing any device, scheme or artifice to defraud; or
18 (b) making any untrue statement of material fact or omitting to state a
19 material fact necessary in order to make the statements made, in light

1 of the circumstances under which they were made, not misleading; or
2 (c) engaging in any act, practice or course of business which operates or
3 would operate as a fraud or deceit upon any person, in violation of
4 Section 10(b) of the Securities Exchange Act of 1934 ("Exchange
5 Act") [15 U.S.C. §78j(b)] and Rule 10b-5 promulgated thereunder [17
6 C.F.R. §240.10b-5].

7 **II.**

8 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that
9 Defendant Bruce's Consent is incorporated herein with the same force and effect as
10 if fully set forth herein, and that Defendant Bruce shall comply with all of the
11 undertakings and agreements set forth herein.

12 **III.**

13 **IT IS HEREBY FURTHER ORDERED** that notice of this Order may be
14 accomplished by delivery of a copy of the Order by first class mail, overnight
15 delivery, facsimile, or personally by agents or employees of the Commission, upon
16 the Defendant.

17 **IV.**

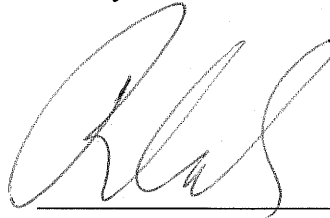
18 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the
19 Court shall retain jurisdiction of this matter for all purposes, including, but not

1 limited to, enforcement of the Final Judgment.

2 V.

3 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
4 Rules of Civil Procedure, the Clerk is hereby directed to enter this Final Judgment.

5 **SO ORDERED:**

6 

7 **Robert H. Whaley**

8 **U.S. DISTRICT COURT JUDGE**
9 **Eastern District of Washington**

10 Dated: April 14, 2009